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August 9, 2024

VIA ECF

Jordan El-Hag, Esq.
El-Hag & Associates, P.C.
777 Westchester Ave., Suite 101
White Plains, NY 10604

Re: *Karen Russell, Plaintiff, vs. BASF Corp., Defendant*
No. 7:23-cv-11176-KMK
Pre-Motion Letter

Dear Mr. El-Hag:

As you know, this firm represents BASF Corporation ("BASF") in the above-referenced matter. We are in receipt of the letter dated August 5, 2024, submitted by Defendant Sun Chemical Corporation ("Sun Chemical"). BASF again requests that Plaintiff voluntarily dismiss the First Amended Complaint to avoid unnecessary motion practice. Further, should you decline to do so, we likewise request that the Court stay the above-referenced matter pending disposition on the ongoing appellate proceedings in the matter *Grant v. Global Aircraft Dispatch*, 223, A.D.3^d 712, 204 (NYS 3rd 117 NYS 2nd Dept. 2024) as has been ordered and remains in effect in other matters pending in this District Court as explained Sun Chemical's correspondence.

Absent dismissal of BASF or the issuance of a stay during the pendency of appellate proceedings in *Grant*, BASF will move to dismiss the Amended Complaint with prejudice.

Thank you for your attention and anticipated cooperation.

The case will be stayed pending the resolution of the Grant case.

Respectfully submitted,
/s/ Kathleen M. Caminiti
Kathleen McLeod Caminiti
For FISHER & PHILLIPS LLP

So Ordered.
A handwritten signature in black ink, appearing to be "K. Caminiti", written over the words "So Ordered." and the date "8/9/24".
8/9/24

cc: Honorable Kenneth M. Karas, U.S.D.J. (via ECF)

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